



For Legal Use Only

Pharma Claims Processing Center  
30 days after the July 30, 2020  
Bar Date.

The creditor, Troy Anthony Pesina  
request for the following facts  
to be applied to the reasoning in  
which this Great court will be  
able to make an informative and  
knowledable decision.

## II. Facts

a. The global Pandemic has slowed  
and even halted my life. Due to  
the Nation wide lock down my ability  
to communicate and correspond has  
become hinderd and also come to a  
stand still at times. This was out  
of my control.

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b. At the time this creditor  
tried to acquir the required  
claim documents the United States  
Postal Service was lacking in funds  
and due to that the affected  
state's where informed mail would  
be late for outgoing and incoming.

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This delay transpired at the same time and several months prior to and after the Courts New "Bar Date". This was out of my control.

C. I am currently incarcerated and have been in the Spokane County Jail since March 20<sup>th</sup>, 2019, in Washington State. Here at the Spokane County Jail I only receive 2 hours of out Time a day and "NO" publications are allowed except for the U.S.A. Today and that has to be purchased from an outside vender. I am an indigent inmate so I am unable to purchase the U.S.A. Today. So I am ignorant to what all is transpiring in the Outside world and its ongoings.

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As soon as I could I sent a request for forms to the Purdue Pharma Claims Center % Prime Clerk on or about July 27, 2020 to August 3, 2020. (See exhibit 1 - proof of incarceration).

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d. I, Troy Anthony Pesina, recieved an acknowledgment that the prime clerk recieved my request on August 13, 2020. It took nearly 14 days for my letter to be responded to. (See Exhibit #2). I immediately filled out the claim forms and mailed them. It took another 14 days to be mailed and processed.

e. I, Troy Anthony Pesina, did attempt to file my claim forms in the fastest time frame possible with regards to my current incarceration and constant State lock downs due to the Global Pandemic which is completely out of my control.

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### III - Legal Claims

The creditor, Troy Anthony Pesina, alleges he attempted to follow the courts requirments and rules as best as he was physically capable of doing in

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respect to his current incarceration. This creditor "Acted in good faith" (Fed. Rules Bankr. Proc. Rule 9006(b)(1), 11 U.S.C.A. CVI GVF (Lux) Master S.a.r.l. v, Lehman Bros, Holdings Inc. 445 B.R. 137 (S.D. N.Y. 2011)).

This creditor is the movant requesting for the acceptance of this claim's extension of Bar Date so this creditors claim may be recognized as timely.

"Excusable neglect standard that governs a creditor's ability to file a proof of claim after the expiration of the claim bar date is a flexible one, and excusable neglect may include inadvertence, mistake or For Legal Use Only carelessness, as well as intervening circumstances beyond the creditor's control. (Fed. R. Bankr. P. 9006(b)(1). In re Motors Liquidation Company, 576 B.R. 761 (Bankr S.D. N.Y. 2017). "Under the excusable neglect standard governing the filing of late proofs of claim,

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Congress plainly contemplated that courts would be permitted, when appropriate, to accept late filings caused by inadvertence, mistake, or carelessness, as well as by intervening circumstances beyond a party's control. (Fed. R. Bankr. P. 9006 (b). In re Energy Future Holdings Corp., 619 B.R. 99 (Bankr. D. Del. 2020).

#### IV Prayer for Relief

WHEREFORE, creditor respectfully prays that this court enter judgment granting the recognition of a.) Personal Injury claimant Proof of claim form, b.) General Opioid Claimant Proof of claim form.

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Dated November 21,  
2020

Respectfully submitted,

- verification -

Troy A. Pesina  
Troy Pesina

I have read the foregoing and hereby verify that the matters

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alleged therein are true,  
except as to matters alleged  
on information and belief, and,  
as to those, I believe them to  
be true. I certify under the  
penalty of perjury that the  
foregoing is true and correct.

Executed at Spokane, Washington 11-21-20  
City, State, date

Signature: Troy A. Pesina  
print: Troy A. Pesina

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Exhibit

- 1 -

Annex

Receiving  
Officer: amp  
PERS # 2134  
Date: 11/18/20

**SPOKANE COUNTY DETENTION SERVICES  
INMATE REQUEST**

Housing Unit: D-1Date: 11-18-20Inmate PesinaTroy9-12-77 360401

LAST NAME

FIRST NAME

DOB

NOV 19 2020

JAIL DEPARTMENTS			OTHER AGENCIES	
<input type="checkbox"/> Admin	<input checked="" type="checkbox"/> Jail Records	<input type="checkbox"/> Programs	<input type="checkbox"/> City Public Defender	<input type="checkbox"/> Sheriff Records
<input type="checkbox"/> Chaplain	<input type="checkbox"/> Kitchen	<input type="checkbox"/> Sergeants	<input type="checkbox"/> County Public Defender	<input type="checkbox"/> Spokane PD Records
<input type="checkbox"/> Classification	<input type="checkbox"/> Law Library	<input type="checkbox"/>	<input type="checkbox"/> District Court	<input type="checkbox"/> Superior Court
<input type="checkbox"/> Commissary	<input type="checkbox"/> Mail Desk	<input type="checkbox"/>	<input type="checkbox"/> DOC	<input type="checkbox"/> US Marshall's
<input type="checkbox"/> Education/GED	<input type="checkbox"/> Property #	<input type="checkbox"/>	<input type="checkbox"/> Municipal Court	<input type="checkbox"/> Other

\* Medical and Mental Health Requests must use a Medical Request Form

**\*\* USE A SEPARATE FORM FOR EACH REQUEST \*\***

Explanation: Can I get a proof of incarceration please.  
I need it for a legal proceeding.  
Thank you!

\*\*\*\*\* DO NOT WRITE BELOW THIS LINE - JAIL STAFF ONLY \*\*\*\*\*

Reason: see attached report

Responding Staff: MSA Date: 11-19-20





Booking Date

Pg 17 of 23

## All Offender Charges

Name: PESINA, TROY ANTHONY



Arrest #:	19004731	Book Date:	3/20/2019 9:37:00 PM	Release Date:		Days:	610
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Case No: 1810507032

Counts: 1 9A.84.010(1)(2)(B)(9A.84.010(1)(2)(B)) - CRIMINAL MISCHIEF(WEAPON)

Charge Date: 3/20/2019 9:49:13 PM

Release Date:

Control No: 2018-20226740

Days: 610

Days Served on Charge: 187

Charge Status

Sentence Served

Status Date

9/23/2019 6:00:09 AM

Last Updated

9/4/2020 12:38:22 AM

Counts: 1 9A.56.310(9A.56.310) - POSS STOLEN FIREARM

Charge Date: 3/20/2019 9:49:13 PM

Release Date:

Control No: 2018-20226740

Days: 610

Days Served on Charge: 140

Charge Status

Released by Court

Status Date

8/7/2019 4:16:11 PM

Last Updated

8/26/2019 2:57:30 AM

Counts: 1 69.50.4013(1)CO(69.50.4013(1)CO) - CNTL SUB(POSS-FEL)CONSPIRACY

Charge Date: 3/20/2019 9:49:13 PM

Release Date:

Control No: 2018-20226740

Days: 610

Days Served on Charge: 187

Charge Status

Sentence Served

Status Date

9/23/2019 6:00:58 AM

Last Updated

9/4/2020 12:38:22 AM

Case No: 1911077232

Counts: 1 9A.56.200(1)(A)(9A.56.200(1)(A)) - ROBBERY-1D(ARMED/DISPLAY/BOD INJ)

Charge Date: 9/19/2019 2:49:12 PM

Release Date:

Control No: 2018-20252193

Days: 427

Days Served on Charge: 427

Charge Status

\*Pretrial\*

Status Date

9/19/2019 2:48:21 PM

Last Updated

9/20/2019 3:28:48 PM

Counts: 1 9A.52.020(1)(A)(9A.52.020(1)(A)) - BURGLARY-1D(ARMED)

Charge Date: 9/19/2019 2:49:12 PM

Release Date:

Control No: 2018-20252193

Days: 427

Days Served on Charge: 427

Charge Status

\*Pretrial\*

Status Date

9/19/2019 2:48:21 PM

Last Updated

9/20/2019 3:29:11 PM

Counts: 1 9A.52.020(1)(A)CO(9A.52.020(1)(A)CO) - BURGLARY-1D(ARMED)CONSPIRACY

Charge Date: 9/19/2019 2:49:12 PM

Release Date:

Control No: 2018-20252193

Days: 427

Days Served on Charge: 427

Charge Status

\*Pretrial\*

Status Date

9/19/2019 2:48:21 PM

Last Updated

9/20/2019 3:29:07 PM

Counts: 1 9A.36.021(1)(C)(9A.36.021(1)(C)) - ASSAULT-2D(DEADLY WEAPON)

Control No: 2018-20252193

**Charge Status** **Status Date** **Last Updated**  
\*Pretrial\* 9/19/2019 2:48:21 PM 9/20/2019 3:29:04 PM  
**Counts: 1** 9A.36.021(1)(C)(9A.36.021(1)(C)) - ASSAULT-2D(DEADLY WEAPON) **Control No: 2018-20252193**  
Charge Date: 9/19/2019 2:49:12 PM Release Date: Days: 427  
Days Served on Charge: 427

**Charge Status** **Status Date** **Last Updated**  
\*Pretrial\* 9/19/2019 2:48:21 PM 9/20/2019 3:28:58 PM  
Case No: DOC  
**Counts: 1** 0043030(0043030) - HOLD- COMMUNITY CUSTODY **Control No:**  
Charge Date: 3/20/2019 9:50:23 PM Release Date: Days: 610  
Days Served on Charge: 13

**Charge Status** **Status Date** **Last Updated**  
Released by Court 4/2/2019 3:51:57 PM 8/26/2019 2:57:53 AM  
**Counts: 1** 0043030(0043030) - HOLD- COMMUNITY CUSTODY **Control No:**  
Charge Date: 8/12/2019 12:29:00 PM Release Date: Days: 465  
Days Served on Charge: 15

**Charge Status** **Status Date** **Last Updated**  
Released by Court 8/27/2019 3:04:51 PM 8/27/2019 3:04:55 PM

Arrest #:	19001285	Book Date:	1/22/2019 1:44:00 PM	Release Date:	2/21/2019 4:21:43 PM	Days:	30
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Case No: 1810507032

**Counts: 1** 9.41.040(1)(A)AT(9.41.040(1)(A)AT) - FIREARM UNLW POSS-1D(PREV FEL CONV) **Control No: 2018-20226740**  
Charge Date: 1/22/2019 2:29:04 PM Release Date: 2/21/2019 4:21:43 PM Days: 30  
Days Served on Charge: 30

**Charge Status** **Status Date** **Last Updated**  
Bonded 2/21/2019 3:02:50 PM 2/21/2019 3:03:04 PM  
**Counts: 1** 9A.56.310 F(9A.56.310 F) - POSS STOLEN FIREARM **Control No: 2018-20226740**  
Charge Date: 1/22/2019 2:30:05 PM Release Date: 2/21/2019 4:21:43 PM Days: 30  
Days Served on Charge: 30

**Charge Status** **Status Date** **Last Updated**  
Bonded 2/21/2019 3:03:08 PM 2/21/2019 3:03:12 PM  
**Counts: 1** 69.50.4013(1)(69.50.4013(1)) - CNTL SUB(POSS-FEL) **Control No: 2018-20226740**  
Charge Date: 1/22/2019 2:30:59 PM Release Date: 2/21/2019 4:21:43 PM Days: 30  
Days Served on Charge: 30

**Charge Status** **Status Date** **Last Updated**  
Bonded 2/21/2019 3:03:18 PM 2/21/2019 3:03:22 PM

Case No: DOC

**Counts: 1** 0043030(0043030) - HOLD- COMMUNITY CUSTODY **Control No:**

Exhibit

-2-

**Prime Clerk** 

550 3rd Avenue, Suite 412  
Brooklyn, NY 11222  
primeclerk.com


Troy A. Pesina 360101  
Spokane County Jail  
1100 W. Mallon  
Spokane, WA 99260

August 13<sup>th</sup>, 2020

Dear Troy,

Thank you for contacting Prime Clerk, the appointed claims and noticing agent for Purdue Pharma L.P.'s chapter 11 case.

If you have a medical emergency, please call 911 or go to the nearest emergency room.


In order to report an adverse event, please call +1 (888) 726-7535 and press 2 or email  


An adverse event is any unwanted or unintended experience associated with the use of a drug (prescription or over the counter (OTC)) or dietary supplement in humans, whether or not it is caused by the drug and/or supplement. For either reporting method, please include or have ready a description of the event(s) you experienced, your age or age category (e.g. adolescent, adult, elderly), gender, initials, date of birth, name and/or patient identification number, the brand or generic name, active ingredient and lot number of the product involved, and your full name and contact information (phone number and current mailing address).

Please note, the Adverse Event email cannot assist you with questions regarding filing a claim or the chapter 11 proceedings in general.

Please find enclosed the proof of claim forms and Bar Date Notice.

The Bankruptcy Court has extended the deadline to July 30, 2020, at 5:00 p.m. (Prevailing Eastern Time) as the last date for all individuals (including legal guardians of children and persons claiming on behalf of deceased persons) or entities (including partnerships, corporations, joint ventures, trusts, governmental units, and Native American Tribes) to file a proof of claim against Purdue Pharma L.P. or any of its affiliated debtors (the "General Bar Date"). If you believe you (or any estate you represent or any minor that you are the parent or guardian for) have been affected by Purdue Pharma L.P., a U.S. limited partnership, and its affiliated Debtor companies ("Purdue"), or Purdue prescription opioids, like OxyContin, or other prescription opioids manufactured or sold by Purdue, you have the right to file a claim, even if you may also have received reimbursement from insurance, for compensation in the

Prime Clerk 

850 3rd Avenue, Suite 412  
Brooklyn, NY 11232  
[primeclerk.com](http://primeclerk.com)

Purdue bankruptcy proceeding as long as the claim arose prior to September 15, 2019. A "claim" means a right to seek payment or other compensation. Examples of claims that may be filed in the Purdue bankruptcy include death, addiction or dependence, lost wages, loss of spousal relationship benefit for things like child-rearing, enjoyment of life, etc., or Neonatal Abstinence Syndrome ("NAS"), among others.

Please note, that the deadline to file a claim was July 30, 2020, at 5:00 p.m. (Prevailing Eastern Time). Proof of Claim forms, a list of opioids manufactured or sold by Purdue, instructions for how to file a claim, or if you wish to file a claim electronically, you may do so by visiting [PurduePharmaClaims.com](http://PurduePharmaClaims.com).

For further information about the process of submitting a claim, you may call the restructuring hotline toll-free at 1.844.217.0912 or use the live chat feature at [purduepharmaclaims.com/contact.html](http://purduepharmaclaims.com/contact.html).

PLEASE NOTE: Prime Clerk is the appointed claims and noticing agent for Purdue Pharma L.P.'s chapter 11 case. As such, we are not permitted to provide legal or financial advice. Further, Prime Clerk is not permitted to accept claims via email or fax, and any such information provided via either of these methods will not constitute a claim in these proceedings.

Regards,

Prime Clerk Inquiries

Prime Clerk  
850 Third Avenue  
Suite 412  
Brooklyn, NY 11232  
844-217-0912

[primeclerk.com](http://primeclerk.com)

Enclosures: Proof of Claim Forms, Extended Bar Date Cover, and Bar Date Notice





United States Bankruptcy Court  
COURT CLERK,  
Southern District of NEW YORK  
300 Quarropas Street

FILED  
U.S. BANKRUPTCY COURT  
SD. OF N.Y.  
2017 30 P  
0

November 21, 2020

re: Motion for Excusable  
Neglect, Claim NO: 615765 and  
claim no: 616033

Dear Bankruptcy Court Clerk,

I hope this finds you and the  
Court in best of health and safe.

My name is, Troy Anthony Pesina, I am  
an incarcerated inmate in Spokane, wa.  
I am attempting to follow the required  
rules of the court on a late claim  
filed after the "Bar Date".

Due to the Global Pandemic lock  
downs of state's such as Washington  
State is now in again, I am attempting  
to gain some insight into knowing if  
I am doing this Motion correctly as  
I am pro-se?



I understand you are a busy person and must have your hands full as the Courts never close 😊 but any advice or information concerning the way I am filing my motion would be greatly appreciated as I do not know the Court Rules in its entirety.

Thank you so much and I am also sending this motion to the Purdue Pharma Claims Processing Center and if this motion is not necessary as I'm sending it to the processing center I apologize.

Sincerely, ~~Troy A. Pesina~~  
Troy A. Pesina  
Spokane County Jail  
1100 W. Mallon Ave  
Spokane, WA.  
99260